

2015 Red Book

September 2015

Synchronizing Environmental Reviews for Transportation and Other Infrastructure Projects

Visit: https://www.environment.fhwa.dot.gov/strmlng/RedBook_2015.asp

Background

In September 1985, a group of the principal agencies involved in assessing permit applications under Section 404 of the Clean Water Act for Federal-aid highway projects formed a workgroup to identify methods for improving interagency coordination and conducting more efficient reviews. The end result of this workgroup, consisting of FHWA, USACE, EPA, FWS, and NMFS, was a handbook entitled “Applying the Section 404 Permit Process to Federal-Aid Highway Projects,” more commonly known as the Red Book. This Red Book was released in September 1988.

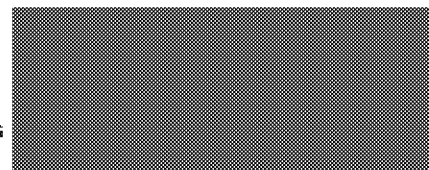
In 2012, the Transportation Rapid Response Team – a Federal interagency group launched in November 2011 to streamline Federal reviews of transportation projects – expressed a renewed interest in the concept of concurrent review processes covered in the original Red Book. As a result, a new interagency workgroup consisting of FHWA, FRA, USACE, USCG, EPA, FWS, and NMFS was formed in late 2013 to update the 1988 Red Book. This Synchronization Workgroup has been convening since January 2014 to update the document.

Purpose

The goal of the updated Red Book is to provide a “how-to” for field staff of Federal agencies that review permit applications, and Federal, State, and local agencies that fund or develop transportation projects, on synchronizing the National Environmental Policy Act (NEPA) and other regulatory reviews such as USACE’s Regulatory review, USCG bridge permit reviews, and Endangered Species Act (ESA) consultation. It includes techniques and lessons learned that can support more efficient and concurrent review processes. While the document focuses primarily on the transportation sector, transferability of these techniques to other infrastructure sectors are noted.



**US Army Corps
of Engineers®**



Content

The revised Red Book will include an introduction, five chapters, and appendices. The chapters include:

- **Chapter 1: Synchronization**

Chapter 1 describes the content of a typical formal agreement and includes a question and answer section that provides additional clarification on certain aspects of synchronization. The chapter also includes flow charts that show the major milestones in a synchronized review, and references a Coordination & Implementation Table in the document's appendix that provides a detailed description of each agency's role during each stage of the review.

- **Chapter 2: Programmatic Approaches**

Chapter 2 covers the purpose and benefits of programmatic approaches. The chapter includes programmatic approaches, such as USACE's abbreviated permit procedures, Special Area Management Plans, and Endangered Species Act considerations, that can be used to support or complement a synchronized review. The chapter also touches on implementation procedures for the 2014 USDOT-USCG memorandum of understanding and the FHWA-USCG memorandum of agreement.

- **Chapter 3: Transportation and Other Infrastructure Liaisons**

Chapter 3 provides an overview of two existing statutory authorities [Section 214 of Water Resources Development Act (WRDA) of 2000 and 23 U.S.C. Section 139(j)] that are frequently used by agencies to support dedicated transportation and infrastructure liaisons. This chapter also describes the purpose and benefits of having a dedicated liaison and connects the use of liaisons to better facilitate synchronized reviews.

- **Chapter 4: Communication and Technology**

Chapter 4 focuses on geospatial and coordination tools that support improved coordination and/or a synchronized review process. Tools covered include FHWA's eNEPA, EPA's NEPAassist, USACE's Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS), and the FWS/FHWA ESA Webtool.

- **Chapter 5: Mitigation**

Chapter 5 describes mitigation concepts that can support a synchronized review, focusing on ideas and content from USACE and EPA's 2008 Mitigation Rule. The chapter discusses the watershed approach to mitigation, banking and in-lieu fee programs, advanced permittee-responsible mitigation, and permittee responsible mitigation. The chapter also provides successful examples of each of these concepts.



**US Army Corps
of Engineers®**

